

Docket No.: 4600-0126PUS1  
(Patent)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

Patent Application of:

Mitsuo SEKINE et al.

Application No.: 10/590,268

Confirmation No.: 6049

Filed: January 8, 2010

Art Unit: 1623

For: 3' -END NUCLEOSIDE UNIT COMPRISING  
PHOSPHORAMIDITE

---

Examiner: L. CRANE

**REQUEST FOR REFUND**

**MS 16**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

I. **REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account No. 02-2448 shown on the statement for the month of for the above-identified

☒ application ☐ patent

☒ A copy of the monthly statement is enclosed.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	
<input type="checkbox"/> search fee	
<input type="checkbox"/> examination fee	
<input type="checkbox"/> surcharge for filing the basic filing fee or oath/declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	
<input type="checkbox"/> second month	
<input type="checkbox"/> third month	
<input type="checkbox"/> fourth month	
<input type="checkbox"/> fifth month	
<input checked="" type="checkbox"/> excess claims	440.00
<input type="checkbox"/> issue fee	
<input type="checkbox"/> petition fee	
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	
<input type="checkbox"/> second maintenance fee	
<input type="checkbox"/> third maintenance fee	
<input type="checkbox"/> patent maintenance fee surcharge	
<input type="checkbox"/> Other	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<b>TOTAL REFUND REQUESTED</b>	<b>\$440.00</b>

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On June 23, 2010, Applicants filed a Response in which 2 new independent claims were added. Applicants paid the \$440.00 additional claims fee for the 2 new independent claims, when the Response of June 23, 2010, was filed. On July 26, 2010, the USPTO charged our deposit account \$440.00 for an additional claims fee.

IV. REFUND OF 50% OF FEES

- ☐ enclosing a copy of the written Assertion of Small Entity Status
- ☐ filed herewith
- ☐ filed on

V. MANNER OF REFUND

It is respectfully requested that the excess fee of \$440 be credited to Deposit Account No. 02-2448.

VI. REMARKS

Attached herewith please find a copy of our deposit account which shows both the charge of June 23, 2010, for the additional claims and the improper July 26, 2010 charge.

Favorable action on the present Request is respectfully requested.

Dated: SEP 24 2010

Respectfully submitted,

By 

Marc S. Weiner

Registration No.: 32181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000

Attachment: Record of Deposit Account 02-2448



**United States  
Patent and  
Trademark Office**

Requested

Statement

Month: Jul-10

Deposit

Account

Number: 22448

Name: BIRCH STEWART  
KOLASCH & BIRCH

Attention:  
Street 8110 GAITHERHOUSE

Address 1: ROAD

Street

Address 2: SUITE 500 EAST

City: FALLS CHURCH

State: VA

Zip: 22042

Country: UNITED STATES

**BIRCH, STEWART, KOLASCH & BIRCH, LL  
Jul 2008 Deposit Account Reconciliation**

Date	Reference No.	Docket Number	Fee Code	BSKB Code	Fee
23-Jun	11510587	4443-0274PUS1	1504	DPUB	\$300.00
23-Jun	10566362	4456-0106PUS1	1251	DX	\$130.00
23-Jun	11402868	4459-0408PUS1	1501	DI	\$1,510.00
23-Jun	11402868	4459-0408PUS1	8001	DC	\$12.00
23-Jun	11402868	4459-0408PUS1	1504	DPUB	\$300.00
23-Jun	10590268	4600-0126PUS1	1614	DAC	\$440.00
23-Jun	10590268	4600-0126PUS1	1251	DX	\$130.00
23-Jun	11631859	4633-0194PUS1	1504	DPUB	\$300.00
23-Jun	11631859	4633-0194PUS1	8001	DC	\$12.00
23-Jun	11631859	4633-0194PUS1	1501	DI	\$1,510.00
23-Jun	12809382	4633-0392PUS1	8021	DR	\$40.00
23-Jun	11917488	4720-0129PUS1	2501	DI	\$755.00
23-Jun	11917488	4720-0129PUS1	1504	DPUB	\$300.00
23-Jun	11917488	4720-0129PUS1	8001	DC	\$12.00
23-Jun	77676426	4752-0138US1	7004	DX	\$150.00
26-Jul	12864480	4539-0125PUS1	1615	DAC	\$104.00
26-Jul	12864480	4539-0125PUS1	1633	DEF	\$220.00
26-Jul	12864480	4539-0125PUS1	1642	DSF	\$430.00
26-Jul	12864480	4539-0125PUS1	1631	DF	\$330.00
26-Jul	12864480	4539-0125PUS1	1614	DAC	\$440.00

26-Jul	10590268	4600-0126PUS1	1201	DAC	\$440.00
26-Jul	12811934	4633-0398PUS1	8021	DR	\$40.00
26-Jul	12864286	4633-0405PUS1	8021	DR	\$40.00
26-Jul	12864452	5132-0158PUS1	1631	DF	\$330.00
26-Jul	11660732	5145-0106PUS1	1801	DF	\$810.00
26-Jul	12840077	5174-0125PUS1	8021	DR	\$40.00
26-Jul	12809025	5200-0116PUS1	1617	DPF	\$130.00
26-Jul	11979685	5275-0165PUS1	2201	DAC	(\$220.00)
26-Jul	11721667	5316-0106PUS1	1801	DF	\$810.00
27-Jul	10477101	0020-5198P	1253	DX	\$1,110.00
27-Jul	12681520	0020-5841PUS1	1642	DSF	\$430.00
27-Jul	12681520	0020-5841PUS1	1633	DEF	\$220.00
27-Jul	12681520	0020-5841PUS1	1617	DPF	\$130.00
27-Jul	12864475	0020-5856PUS1	8021	DR	\$40.00